

### **REMARKS**

Claims 36, 37 and 54-72 are pending in this application, with claim 36 being an independent claim. Claim 36 has been amended in accordance with suggestions provided to Applicant's representative by the Examiner in an interview (described further below).

No new matter has been added.

#### **Interview with Examiner Smith**

Applicant respectfully thanks Examiner Smith for conducting an interview with Applicant's representative. During the interview, the rejections of the claims were discussed. Applicant's representative indicated that the references cited by the Examiner do not alone or in combination provide a method for determining whether monosaccharides or disaccharides of a query sequence match monosaccharides or disaccharides of a polysaccharide as provided in Applicant's rejected claims. Examiner Smith suggested that if the claims were more clearly drawn to the analysis of polysaccharides they would be free of the cited art. The Examiner also suggested certain claim amendments that, according to the Examiner, would help achieve this clarity. Applicant has herein adopted the suggested claim amendments without conceding the correctness of the Examiner's position.

#### **Rejections Under 35 U.S.C. §112**

The Examiner has rejected claims 36, 37 and 54-72 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. The Examiner has argued that the phrase "based on" is vague and indefinite.

Applicant respectfully traverses the rejection of the claims on this basis. However, in the interest of expediting the prosecution of this case, Applicant has amended claim 36 replacing "based on" with "with" in line 12 of the claim as suggested by the Examiner in the interview with Applicant's representative. In addition, Applicant has also amended lines 18 and 19 of claim 36, so that this part of the claim reads as it was originally presented except for the replacement of "based on" with "with".

Accordingly, Applicant respectfully requests the Examiner to withdraw the rejection of claims 36, 37 and 54-72 under 35 U.S.C. §112, second paragraph.

Rejections Under 35 U.S.C. §103

The Examiner has rejected claims 36, 54, 55, 57, 61, 62, 65 and 69 under 35 U.S.C. §103(a) as being unpatentable over Filvaroff et al. (U.S. Patent No. 6,734,288 B2) in view of Lowe et al. (U.S. Patent No. 5,770,420).

Applicant respectfully traverses the rejection. Neither reference alone or in combination teach the analysis of polysaccharides, and certainly do not provide the method of Applicant's claims. In addition, Applicant maintains that the claims prior to this amendment were sufficiently clear in their scope. Nevertheless, in the interest of expediting the prosecution of this application, Applicant has amended claim 36, replacing "corresponding to" with "for" in line 5 as the Examiner suggested in the interview with Applicant's representative.

Accordingly, the rejection of claims 36, 54, 55, 57, 61, 62, 65 and 69 under 35 U.S.C. §103(a) is respectfully requested to be withdrawn.

Serial No.: 09/557,997  
Conf. No.: 7686

- 8 -

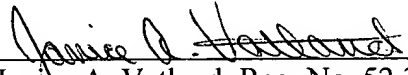
Art Unit: 1631

### CONCLUSION

In view of the foregoing amendments and remarks, this application should now be in condition for allowance. A notice to this effect is respectfully requested. If the Examiner believes, after this amendment, that the application is not in condition for allowance, the Examiner is requested to call the Applicant's representative at the telephone number listed below.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825.

Respectfully submitted,

  
\_\_\_\_\_  
Janice A. Vatland, Reg. No. 52,318  
Wolf, Greenfield & Sacks, P.C.  
600 Atlantic Avenue  
Boston, Massachusetts 02210-2206  
Telephone: (617) 646-8000

Docket No.: M0656.70055US00  
Date: December 9, 2005  
x12/09/05x